

<b>Response to Missing Requirements Under 35 USC § 371</b>	Attorney Docket No.: DAVI251.001APC First Named Inventor: Jane et al. Int'l Application No.: PCT/AU03/01006 US Application No.: 10/524,619 Entered National Phase: February 9, 2005 Title: MAMMALIAN GRAINYHEAD TRANSCRIPTION FACTORS
	Direct all correspondence to Customer No.: 20995

Date: November 8, 2005  
Page 1 of 2

**Mail Stop PCT**

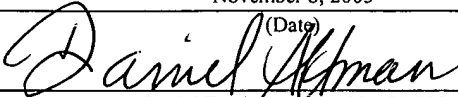
United States Patent and Trademark Office

PO Box 1450

Alexandria, VA 22313-1450

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: United States Patent and Trademark Office, PO Box 1450, Alexandria, VA 22313-1450, on

November 8, 2005

*(Date)*  
  
 Daniel E. Altman, Reg. No. 34,115

Applicant herewith submits to the US Designated/Elected Office (DO/EO/US) the following items and other information:

- (X) This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 USC 371.
- (X) Copy of the Notification of Missing Requirements under 35 USC 371 dated September 12, 2005.
- (X) An Oath or Declaration signed by the inventors (35 USC 371(c)(4)) in 3 pages.
- (X) Power of attorney form and copy of assignment in 3 pages.
- (X) Sequence Submission Statement; paper copy of Sequence Listing in 76 pages; and Sequence Listing in CRF (diskette)
- (X) Return prepaid postcard.

**FILING FEES NOT YET PAID:**

FEE CALCULATION				
FEE TYPE		LARGE FEE	CALCULATION	TOTAL
Late Oath/Decl.	37 CFR § 1.492(h)	1617 (\$130)		\$130
Excess Claims	21 - 21 = 0	1615 (\$50)	0 x 50 =	\$0
Excess Ind. Claims	7 - 7 = 0	1614 (\$200)	0 x 200 =	\$0
			<b>SUB TOTAL</b>	<b>\$130</b>
The present application qualifies for Small Entity status under 37 CFR § 1.27. Fee reduced by 1/2.				(\$65)
			<b>TOTAL FEE DUE</b>	<b>\$65</b>

- (X) A check in the amount of \$65 is enclosed to cover the above fees.

11/18/2005 ATRAM1 00000082 10524619

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65.00 OP

**Response to Missing  
Requirements Under  
35 USC § 371**

Attorney Docket No.: DAVI251.001APC  
First Named Inventor: Jane et al.  
Int'l Application No.: PCT/AU03/01006  
US Application No.: 10/524,619  
Entered National Phase: February 9, 2005  
Title: MAMMALIAN GRAINYHEAD TRANSCRIPTION  
FACTORS

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Page 2 of 2

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 11-1410.



Daniel E. Altman  
Registration No. 34,115  
Attorney of Record  
Customer No. 20,995  
(949) 760-0404

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DAVI251.001APC  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/524,619	Stephen JANE	DAVI251.001APC

INTERNATIONAL APPLICATION NO.
PCT/AU03/01006

I.A. FILING DATE	PRIORITY DATE
08/08/2003	08/09/2002

20995  
KNOBBE MARTENS OLSON & BEAR LLP  
2040 MAIN STREET  
FOURTEENTH FLOOR  
IRVINE, CA 92614

CONFIRMATION NO. 1433

371 FORMALITIES LETTER



\*OC000000016989682\*

Date Mailed: 09/12/2005

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/09/2005
- Copy of the International Search Report filed on 02/09/2005
- Copy of IPE Report filed on 02/09/2005
- Preliminary Amendments filed on 02/09/2005
- U.S. Basic National Fees filed on 02/09/2005
- Priority Documents filed on 02/09/2005
- Specification filed on 02/09/2005
- Claims filed on 02/09/2005
- Drawings filed on 02/09/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- **\$130 Surcharge.**

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)**

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FRANCINE YOUNG

Telephone: (703) 308-9140 EXT 215

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.

10/524,619

INTERNATIONAL APPLICATION NO.

PCT/AU03/01006

ATTY. DOCKET NO.

DAVI251.001APC

FORM PCT/DO/EO/905 (371 Formalities Notice)